

REMARKS

Claims 1-9 are pending. Claims 10-36 were previously cancelled pursuant to their withdrawal from consideration and without disclaimer. Favorable reconsideration and further examination of the above-referenced application are respectfully requested.

35 USC 112

Claims 1-9 stand rejected under 35 USC 112 as allegedly being indefinite. Claim 1 is amended to overcome the rejection. Applicant believes that the rejections of claims 2-9 are also obviated by the amendment. Accordingly, it is respectfully requested that the rejections of claims 1-9 under 35 USC 112 be withdrawn.

35 USC 103(a)

Claims 1-9 stand rejected under 35 USC 103(a) as allegedly being unpatentable over Blumenau and Raz (US 6,195,703), hereinafter "Blumenau" in view of Pian et al. (US 5,357,632), hereinafter "Pian." The rejections are respectfully traversed. Neither Blumenau nor Pian taken alone or in combination disclose all the features of the claimed subject matter.

As amended, claim 1 recites, "collecting accounting information from an accounting manager at each of the networked

processors, wherein each accounting manager monitors utilization of resources at the networked processor; receiving an upper limit of resources that may be consumed by the remote processor, the resources including a local resource controlled by the host processor; releasing the local resource to the remote processor based on the collected accounting information and if an amount of resources consumed by the remote processor is below the upper limit, the utilization of the local resource maintained within a pre-determined upper threshold; and if at least one of the upper threshold and the upper limit is exceeded, reducing availability of the local resource to the remote processor by the host processor." (Emphasis added).

Blumenau describes data processing networks, and more particularly, a data processing network in which a multiplicity of host processors are connected to shared resources. See, e.g., Blumenau, col. 1, lines 8-11. In Blumenau, resource management is not conducted between a host processor and a remote processor included among networked processors. The resources associated with the host processor and the remote processor and the sharing of such resources based on an upper limit or an upper threshold are not monitored. In contrast, Blumenau is related to routing resource requests through a switch in a data processing network.

Further, Blumenau states:

The method includes storing, in a memory, routing information defining respective outputs of the switch to which resource requests received at inputs of the switch should be routed. In response to resource requests being received at the inputs of the switch, each resource request received at each input of the switch is routed to an output of the switch by accessing the routing information in the memory to select a respective output of the switch to which the resource request should be routed, and routing the resource request to the selected output of the switch to which the resource request should be routed. See, Blumenau, col. 1, lines 48-63.

Thus, Blumenau describes routing resource requests based on routing information stored in a memory. The hosts 22'-25', as described in Blumenau, do not each include an accounting manager. Further, Blumenau describes a host activity monitoring facility 62 that monitors activity of hosts 22'-25'. See, e.g., Blumenau, fig. 3, col. 7, lines 53 - col. 8, line 6. The hosts 22'-25' described in Blumenau do not each include a host activity monitoring facility 62. Instead, as described in Blumenau, the host activity monitoring facility 62 is common to the hosts 22'-25'. In contrast, claim 1 recites, "an accounting manager at each of the networked processors." Thus, Blumenau does not describe or suggest "collecting accounting information from an accounting manager at each of the networked processors, wherein each accounting manager monitors utilization of resources at the networked processor," as recited in claim 1.

In addition, the Office Action acknowledges that Blumenau does not describe an accounting manager as claimed. At least for all the reasons discussed above, Blumenau does not disclose all the features recited in claim 1.

Pian does not rectify these deficiencies in Blumenau. Pian describes an arrangement and method for allocating tasks in a multi-processor system. In this regard, Pian describes queueing ready task entries in a distributed control processor, placing an upper limit on the local ready task entries that can be queued in the distributed processor, and when a distributed control processor schedules more ready task entries than the size of its local ready task entry queue, sending the additional ready task entries to the supervisory control processor for re-assignment to a second distributed control processor. See, e.g., Pian, col. 8, lines 52-64.

Pian describes one supervisory control processor common to all distributed control processors. See, e.g., Pian, reference numeral 122, col. 8, lines 52-62. Pian does not describe or suggest a supervisory control processor for each distributed control processor. In contrast, as claimed, each of the networked processors includes an accounting manager. Thus, Pian does not describe or suggest an accounting manager at each of the networked processors as claimed.

Therefore, neither Blumenau nor Pian, taken alone or in combination, as suggested by the Office Action, disclose all the

features recited in claim 1. Therefore, a prima facie case of obviousness is not established. Accordingly, claim 1 is patentable. Claims 2-9 are also patentable at least for the same reasons and the additional recitations that they contain. It is respectfully requested that the rejections of claims 1-9 be withdrawn.

#### CONCLUSION

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.


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Respectfully submitted,

Date: \_\_\_\_\_

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